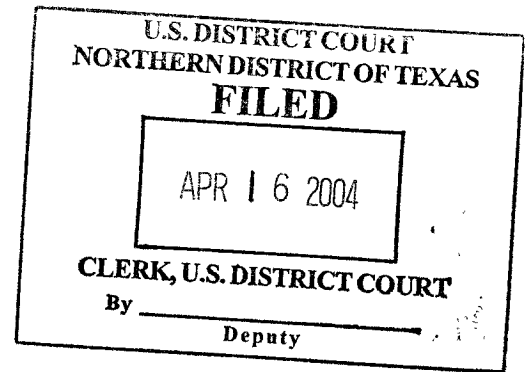


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UNITED STATES DISTRICT COURT

Northern District of Texas, Dallas Division

JAMES PAPA

vs.

ROBERT FEINSTEIN D/B/A RF VIDEO

§ Docket No. 304CV-299-N  
§  
§  
§  
§ ANSWER OF RF VIDEO  
§  
§  
§

**ADMISSIONS AND DENIALS**

1. Defendant is without sufficient information to admit or deny paragraphs 1A and 4A.
2. Defendant denies each and every allegation in paragraphs 1B, 2A, 2B, 3A, 4B, 4C, 4D, 4E, 4F, 4G, 5B, 5C, 5D, 5E, 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 7A, 7B, 7C, 7D, 7E, 8A, 9A(1), 9A(2), 9A(3), 9A(4), 9A(5), 9A(6), 9A(7), 9B(1), 9B(2), 9B(3), 9B(4), 9B(5), 9B(6).

**AFFIRMATIVE DEFENSES**

1. As a first affirmative defense, defendant alleges accord and satisfaction.
2. As a second affirmative defense, defendant alleges assumption of risk.
3. As a third affirmative defense, defendant alleges contributory negligence.
4. As a fourth affirmative defense, defendant alleges fraud.
5. As a fifth affirmative defense, defendant alleges illegality.
6. As a sixth affirmative defense, defendant alleges laches.
7. As a seventh affirmative defense, defendant alleges payment.
8. As an eighth affirmative defense, defendant alleges statute of frauds.

9. As a ninth affirmative defense, defendant alleges waiver.
10. As its tenth affirmative defense, defendant alleges comparative fault of a phantom party.
11. As its eleventh affirmative defense, defendant alleges failure to mitigate damages.
12. As its twelfth affirmative defense, defendant alleges mutual mistake.
13. As its thirteenth affirmative defense, defendant alleges patent misused.
14. As its fifteenth affirmative defense, defendant alleges that there is no copyright or in the alternative, that the copyright has expired, or in the alternative, that the copyright is not enforceable.

WHEREFORE, Defendant prays judgment as follows:

**PRAYER**

Defendant prays that:

1. Plaintiff take nothing by its complaint.
2. Plaintiff's complaint be dismissed with prejudice.
3. Defendant be awarded their reasonable attorney's fees and expenses.
4. Defendant be awarded pre-and post-judgment interest as allowed by law.
5. Defendant be awarded its costs of suit.
6. Defendant be granted any other further relief that the Court deems just and proper.

Dated: April 16, 2004

Respectfully Submitted



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**CERTIFICATE OF SERVICE**

I certify that a true copy of the above was served on each attorney of record or party in accordance with the Federal Rules of Civil Procedure on April 16, 2004.

Grey Pierson  
Pierson Behr Attorneys  
301 W. Abrams Street  
Arlington, Texas 76010

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Charles Adair Rich  
Attorney for Defendant